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OFFICE OF PETITIONS

In re Application of
Jay H. Connelly
Application No. 09/882,105
Filed: June 15, 2001
Docket No. 042390.P11864

**DECISION ON PETITION
UNDER 37 CFR 1.137(b)**

This is a decision on the petition under 37 CFR 1.137(b), filed March 3, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure pay the issue fee and publication fee in a timely manner in response to the Notice of Allowance and Fee(s) Due, mailed July 7, 2005, which set a three (3) month statutory period for reply. Accordingly, the application became abandoned on October 8, 2005. A Notice of Abandonment was mailed on February 3, 2006.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The statement contained in the petition varies from the language required by 37 CFR 1.137(b)(3); however, the statement is being construed as the statement required by 37 CFR 1.137(b)(3). Petitioner must notify the Office if this is **not** a correct interpretation.

This matter is being referred to the Office of Patent Publication.

Telephone inquiries concerning the issuance of the application into a patent should be directed to the Office of Patent Publication, Customer Service at (571) 272-4200. Telephone inquiries specifically concerning this decision should be directed to the undersigned at (571) 272-3211.

Christina Tartera Donnell

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